

03-01-07



PATENT

AF
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Johnson et al.

TITLE : **A METHOD AND APPARATUS
FOR REDUCING ADJACENT
CHANNEL POWER IN WIRELESS
COMMUNICATION SYSTEMS**

APPLICATION NO. : 09/395,490

FILED : September 14, 1999

CONFIRMATION NO. : 6096

EXAMINER : Burd, Kevin Michael

ART UNIT : 2611

LAST OFFICE ACTION : August 29, 2006

ATTORNEY DOCKET NO. : LUTZ 2 00023
Case Name/No. Johnson 6-1-17

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **August 29, 2006** finally rejecting claims 1-28 and 30-34.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☒ Applicants hereby petition the Commissioner under 37 C.F.R. §1.136(a) for a three-month extension of time up to and including **February 28, 2007** in which to file the accompanying Notice of Appeal. Payment for the

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01 FC:1401
02 FC:1253

500.00 OP
1020.00 OP

filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

| | |
|------------------------|-------------------|
| Notice of Appeal Fee: | <u>\$500.00</u> |
| Extension of Time Fee: | <u>\$1,020.00</u> |

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

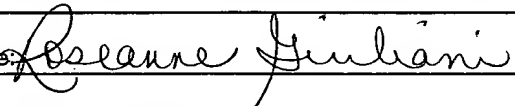
Respectfully submitted,

FAY SHARPE LLP

February 28, 2007

Date


Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|---|---|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being | |
| <input checked="" type="checkbox"/> deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. | |
| <input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below. | |
| Express Mail Label No.: EV 889469616 US | Signature:  |
| Date: February 28, 2007 | Name: Roseanne Giuliani |